

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO et al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

ORDER GRANTING THE TWO HUNDRED SEVENTIETH OMNIBUS OBJECTION
(NON-SUBSTANTIVE) OF THE PUERTO RICO HIGHWAYS AND TRANSPORTATION
AUTHORITY AND EMPLOYEES RETIREMENT SYSTEM OF THE GOVERNMENT OF THE
COMMONWEALTH OF PUERTO RICO TO CLAIMS ASSERTED AGAINST THE INCORRECT DEBTOR

Upon the *Two Hundred Seventieth Omnibus Objection (Non-Substantive) of the Puerto Rico Highways and Transportation Authority and Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Claims Asserted Against the Incorrect Debtor* (Docket Entry No. 14917, the “Two Hundred Seventieth Omnibus Objection”),² filed by

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (“Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² Capitalized terms not otherwise defined herein shall have the meanings given to such terms in the Two Hundred Seventieth Omnibus Objection.

the Puerto Rico Highways and Transportation Authority (“HTA”), and the Employees Retirement System of the Government of the Commonwealth of Puerto (“ERS,” and together with HTA, the “Debtors”), dated October 23, 2020, for entry of an order disallowing in their entirety certain claims filed against the Commonwealth or ERS, as more fully set forth in the Two Hundred Seventieth Omnibus Objection and supporting exhibits thereto; and the Court having jurisdiction to consider the Two Hundred Seventieth Omnibus Objection and to grant the relief requested therein pursuant to PROMESA section 306(a); and venue being proper pursuant to PROMESA section 307(a); and due and proper notice of the Two Hundred Seventieth Omnibus Objection having been provided to those parties identified therein, and no other or further notice being required; and the claims identified in the column titled “Asserted” in Exhibit A to the Two Hundred Seventieth Omnibus Objection having improperly identified HTA or ERS as obligor, in whole or in part, when such claims are properly asserted, if at all, in whole or in part, against the Commonwealth of Puerto Rico (the “Commonwealth”), as identified in the column titled “Corrected” in Exhibit A to the Two Hundred Seventieth Omnibus Objection; and the Court having determined that the relief sought in the Two Hundred Seventieth Omnibus Objection is in the best interests of HTA, ERS, their creditors, and all parties in interest; and the Court having determined that the legal and factual bases set forth in the Two Hundred Seventieth Omnibus Objection establish just cause for the relief granted herein; and the Court having deemed a hearing is not necessary as no objection, responsive pleading, or request for a hearing with respect to the Two Hundred Seventieth Omnibus Objection has been submitted, and after due deliberation and sufficient cause appearing therefor, it is hereby

ORDERED that the Two Hundred Seventieth Omnibus Objection is GRANTED as set forth herein; and it is further

ORDERED that the claims identified in Exhibit A to the Two Hundred Seventieth Omnibus Objection are hereby reclassified in whole or in part; and it is further

ORDERED that the claims identified in the column titled “Asserted” in Exhibit A to the Two Hundred Seventieth Omnibus Objection are hereby reclassified, in whole or in part, to be claims asserted against the Commonwealth, as indicated in the column titled “Corrected” in Exhibit A; and it is further

ORDERED that the Debtors’ right to object to the Reclassified Claims is reserved; and it is further

ORDERED that Prime Clerk is authorized and directed, in the official claims register in the PROMESA cases, to move the claims identified in the column titled “Asserted” in Exhibit A to the Two Hundred Seventieth Omnibus Objection from the Title III case for the debtor(s) identified in the column titled “Asserted” in Exhibit A to the Two Hundred Seventieth Omnibus Objection to the Commonwealth’s Title III Case (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); and it is further

ORDERED that this Order resolves Docket Entry No. 14917 in Case No. 17-3283; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

SO ORDERED.

Dated: June 1, 2021

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge